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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,788	07/14/2003	Pay-Lun Ju	INMEP0108US	7803

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EXAMINER

HAMZA, FARUK

ART UNIT	PAPER NUMBER
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2155

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/619,788

Applicant(s)

JU, PAY-LUN

Examiner

Faruk Hamza

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09/26/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the application filed on July 14, 2003. Claims 1-17 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by McZeal et al. (U.S. Patent Number 6,763,226) hereinafter referred as McZeal.

McZeal teaches the invention as claimed including world-wide-walkie-talkie, a high speed multifunction interstellar wireless computer/instant messenger communicator, Personal Digital Assistant (PDA), coupled with a resilient, robust, VoIP data network and Internet server method (See abstract).

As to claim 1, McZeal teaches an Internet Protocol (IP) appliance, comprising:

- an IP telephone including a housing (Column 28, lines 5-37, Column 32, lines 12-50, Column 50, lines 28-48, Fig. 11,12,14 and 15);

- an IP appliance connector mounted to the housing and configured to operationally connect with a connector of a handheld device (Column 28, lines 5-37, Column 32, lines 12-50, Column 50, lines 28-48, Fig. 11,12,14 and 15); and

- a network connector mounted to the housing and configured to operationally connect to a network (Column 28, lines 5-37, Column 32, lines 12-50, Column 50, lines 28-48, Fig. 11,12,14 and 15);

wherein when the handheld device is operationally connected to the IP appliance connector, the handheld device can transmit and receive data via the network (Column 28, lines 5-37, Column 32, lines 12-50, Column 50, lines 28-48, Fig. 11,12,14 and 15).

As to claim 2, McZeal teaches the IP appliance according to claim 1, wherein the IP appliance connector is a universal connector (Column 32, lines

12-50).

As to claim 3, McZeal teaches the IP appliance according to claim 1, wherein a liquid crystal display of the handheld device can be used to run applications on the IP appliance when the handheld device is operationally connected thereto (Fig. 1).

As to claim 4, McZeal teaches the IP appliance according to claim 1, wherein the handheld device can be used to make a VoIP call over a VoIP network through the IP appliance (abstract).

As to claim 5, McZeal teaches the IP appliance according to claim 1, wherein the handheld device can be used to make a PSTN call over a PSTN network through the IP appliance (Column 10, lines 8-25, Fig. 11,12,13,14 and 15).

As to claim 6, McZeal teaches the IP appliance according to claim 1, wherein the handheld device can transmit and receive data from a personal computer connected to the network (Fig. 11,12,13,14 and 15).

As to claim 7, McZeal teaches the IP appliance according to claim 1, wherein the handheld device can synchronize data between a personal computer

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connected to the network and the handheld device (Column 17, lines 57-Column 18, lines 59, Fig. 8).

As to claim 8, McZeal teaches the IP appliance according to claim 1, wherein the handheld device is a Personnel Data Assistant (PDA), a cell phone, a pager, an MP3 player or a combination thereof (Fig. ,11,12,13,14 and 15).

As to claim 9, McZeal teaches the IP appliance according to claim 3, wherein the handheld device includes a universal connector (Column 32, lines 12-50).

As to claim 10, McZeal teaches the IP appliance according to claim 1, wherein the network includes:

an IP network configured to allow voice data to be transmitted and received over the IP network (Column 10, lines 8-25, Fig. 11,12,13,14 and 15); and

a PSTN network configured to complete a call over the PSTN network (Column 10, lines 8-25, Fig. 11,12,13,14 and 15).

As to claim 11, McZeal teaches the IP appliance according to claim 3, wherein the IP network comprises one or more of a proprietary network, a network of leased facilities, the Internet, an Intranet, a wide-area network (WAN),

a local-area network (LAN) and a virtual private network (VPN) (Column 10, lines 8-25, Fig. 11,12,13,14 and 15).

As to claim 12, McZeal teaches a method for using a handheld device connected to an IP appliance, wherein the IP appliance comprises; an IP telephone including; an IP appliance connector for connecting with a handheld device; a connector for connecting to a VoIP network; a microphone for receiving voice data; and a speaker for transmitting voice data; comprising the steps of:

(a) operationally connecting the handheld device to the IP appliance (Column 28, lines 5-37, Column 32, lines 12-50, Column 50, lines 28-48, Fig. 11,12,14 and 15);

(b) operationally connecting to a network via a network connector mounted to an IP appliance housing (Column 28, lines 5-37, Column 32, lines 12-50, Column 50, lines 28-48, Fig. 11,12,14 and 15); and

(c) transmitting and receiving data via the network (Column 28, lines 5-37, Column 32, lines 12-50, Column 50, lines 28-48, Fig. 11,12,14 and 15).

As to claim 13, McZeal teaches the method according to claim 12, further including the step of;

(d) using a liquid crystal display of the handheld device to run applications on the IP appliance when the handheld device is operationally connected thereto

(Fig. 1).

As to claim 14, McZeal teaches the method according to claim 12, further including the step of;

(e) making a VoIP call over a VoIP network through the IP appliance using the handheld device (abstract).

As to claim 15, McZeal teaches the method according to claim 12, further including the step of; (f) making a PSTN call over a PSTN network through the IP appliance using the handheld device (Column 10, lines 8-25, Fig. 11,12,13,14 and 15).

As to claim 16, McZeal teaches the method according to claim 12, further including the step of; (g) transmitting and receiving data between a personal computer connected the network and the handheld device through the IP appliance (Fig. 11,12,13,14 and 15).

As to claim 17, McZeal teaches the method according to claim 12, further including the step of; (h) synchronizing data between a personal computer connected to the network and the handheld device through the IP appliance (Column 17, lines 57-Column 18, lines 59, Fig. 8).

3. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Borella et al. (U.S. Patent Number 6,816,912) discloses method for tunnel optimized call setup for mobile nodes.
 - Sinha (U.S. Patent Number 6,970,474) discloses personalized universal phone service.
 - Davidson (U.S. Patent Number 7,099,309) discloses using a handheld communication device with a hot spot network.
 - Nickum (U.S. Patent Number 6,760,600) discloses portable communication apparatus.
 - Cox et al. (U.S. Patent Number 6,965,928) discloses method for remote maintenance of Handheld computers.

- Kim (U.S. Patent Number 6,879,843) discloses method for storing and reproducing digital audio data in a mobile terminal.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER